

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON**

MASON DILLON, individually,

Plaintiff,

v.

**Civil Action No. 3:21-cv-00435
Honorable Robert C. Chambers**

**BRIAN D. HALL, individually, XERXES
RAHMATI, individually, SCOTT A.
LOWTHER, individually, KENNY
DAVIS, individually, PUTNAM COUNTY
COMMISSION, a political subdivision of
the State of West Virginia, JOHN DOE, an
individual,**

Defendants.

**DEFENDANT PUTNAM COUNTY COMMISSION'S
MOTION FOR DISMISS PLAINTIFFS' COMPLAINT**

COMES NOW Defendant Putnam County Commission, by and through its counsel, the law firm of Bailey & Wyant, PLLC, Charles R. Bailey and Jeffrey M. Carder and for reasons more fully supported in the Memorandum of Law filed contemporaneously herewith, moves this Court for entry of an order dismissing Plaintiff's claims asserted against it.

WHEREFORE, Defendant Putnam County Commission respectfully moves this Court for entry of an Order granting its motion to dismiss the Putnam County Commission for all of Plaintiff's claims asserted against it and for all other relief that this Court deems just and appropriate.

**PUTNAM COUNTY COMMISSION,
By Counsel,**

/s/ Jeffrey M. Carder
Charles R. Bailey (WV Bar # 0202)
Jeffrey M. Carder (WV Bar # 12725)
BAILEY & WYANT, PLLC
500 Virginia Street, East, Suite 600
Post Office Box 3710
Charleston, West Virginia 25337-3710
T: 304.345.4222
F: 304.343.3133
cbailey@baileywyant.com
jcarder@baileywyant.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON**

MASON DILLON, individually,

Plaintiff,

v.

**Civil Action No. 3:21-cv-00435
Honorable Robert C. Chambers**

**BRIAN D. HALL, individually, XERXES
RAHMATI, individually, SCOTT A.
LOWTHER, individually, KENNY
DAVIS, individually, PUTNAM COUNTY
COMMISSION, a political subdivision of
the State of West Virginia, JOHN DOE, an
individual,**

Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing **“DEFENDANT PUTNAM COUNTY COMMISSION’S MOTION TO DISMISS PLAINTIFFS’ COMPLAINT”** was served upon the following parties through the Court’s Electronic Case Filing (ECF) system on this day, Tuesday, October 19, 2021:

John H. Bryan
Law Office of John H. Bryan
PO Box 366
Union, WV 24983
Attorney For: Mason Dillon

Lori D. Counts-Smith, Esq.
Lewis Glasser PLLC
300 Summers Street, Suite 700
Charleston, WV 25301
Attorney For: Brian D. Hall, Kenny Davis, Scott A. Lowther, Xerxes Rahmati

/s/ Jeffrey M. Carder

Charles R. Bailey (WV Bar # 0202)

Jeffrey M. Carder (WV Bar # 12725)

BAILEY & WYANT, PLLC

500 Virginia Street, East, Suite 600

Post Office Box 3710

Charleston, West Virginia 25337-3710

T: 304.345.4222

F: 304.343.3133

cbailey@baileywyant.com

jcarder@baileywyant.com